

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

United States of America,  
Plaintiff,  
v.  
Thomas Baye,  
Defendant.

Case No. 3:12-cr-00115- ART-VPC-1

ORDER  
(ECF Nos. 59, 60)

Defendant Thomas Baye moves for early termination of supervised release. (ECF No. 59.) The Government opposes the motion, (ECF No. 62), and Defendant has replied to the Government’s opposition. (ECF No. 64.) Probation does not oppose Defendant’s motion. (See ECF No. 59.) The Court heard argument on the motion on September 30, 2024. Based on the briefing and argument, the Court grants the motion to terminate supervised release and the accompanying motion to seal. (ECF Nos. 59, 60.)

In March 2013, this Court sentenced Defendant to 144 months followed by three years of supervised release. (See ECF No. 33.) While incarcerated, Defendant taught GED classes, took courses to get a commercial driver's license, and worked as a caretaker for elderly inmates. (ECF No. 59.) Defendant served the last ten months of his custodial sentence at a halfway house in Las Vegas before release in February 2023. (*Id.*) During his time at the halfway house and his nearly twenty months on supervised release, Defendant has complied with all supervision conditions. He also has remained gainfully employed, developed positive relationships, and willfully participated in counseling and mental health

1 treatment.

2 Defendant's motion argues that he has met all conditions of his supervised  
3 release so far, that he has received positive feedback from his mental health  
4 treatment providers, that he has maintained gainful employment, that he has  
5 developed positive relationships during his time on supervised release, and that  
6 Probation, which is in the best position to evaluate Defendant's likelihood of  
7 reoffending, does not oppose Defendant's motion. (*Id.*; ECF No. 64.) The  
8 Government replies that Defendant's progress is due to supervised release and  
9 that Defendant has reoffended during previous periods of supervised release.  
10 (ECF No. 62.)

11 The Court may grant early termination of supervised release after a  
12 defendant has completed one year of supervised release and upon finding that  
13 relevant 18 USC §§ 3553(a) sentencing factors support early termination.  
14 18 USC § 3583(e)(1). Defendant must satisfy the Court that Defendant's conduct  
15 and the interests of justice warrant early termination.

16 The Court finds that Defendant's conduct, progression in mental health  
17 treatment, and lack of opposition from probation together support early  
18 termination of supervised release.

19 The Court GRANTS Defendant's motion (ECF No. 59) and the  
20 accompanying motion to seal (ECF No. 60).

21  
22 DATED THIS 30<sup>th</sup> day of September, 2024.

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26 ANNE R. TRAUM  
27 UNITED STATES DISTRICT JUDGE  
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